

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Catherine McCaw	Team: Team # 4	CCRB Case #: 200601227	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 01/28/2006 5:00 PM	Location of Incident: 139th Street and Lenox Avenue	Precinct: 32	18 Mo. SOL 7/28/2007	EO SOL 7/28/2007	
Date/Time CV Reported Sat, 01/28/2006 5:26 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Sat, 01/28/2006 5:26 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Robert Dress	00910	933759	032 PCT
2. POF Melissa Clark	29494	932472	032 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Melissa Clark	Abuse: PO Melissa Clark stopped and questioned § 87(2)(b)	
B.POF Melissa Clark	Abuse: PO Melissa Clark frisked § 87(2)(b)	
C.POM Robert Dress	Abuse: PO Robert Dress stopped and questioned § 87(2)(b)	
D.POM Robert Dress	Abuse: PO Robert Dress threatened to arrest § 87(2)(b)	

Synopsis

On January 28, 2005, at approximately 5:00 PM, § 87(2)(b) was watching his son outside of a playground located at 139th St. and Lenox Ave. in Manhattan. As he was standing outside of the playground, he saw PO Melissa Clark and PO Robert Dress stopping an unidentified person of his acquaintance. § 87(2)(b) asked this individual whether he wanted § 87(2)(b) to tell his family that he was getting stopped. PO Clark took § 87(2)(b) aside and instructed him not to intervene when the police are stopping someone (Allegation A). PO Clark then frisked § 87(2)(b) (Allegation B). After allowing the other individual to go, PO Dress came over and also began to reprimand § 87(2)(b) for intervening (Allegation C). He said to § 87(2)(b) “Do you want to go to jail or do you want a summons?” (Allegation D). § 87(2)(b) asked PO Clark for her name and shield number. She responded, “It’s on my chest,” but did not verbally provide this information. § 87(2)(b) was released without summons or arrest.

§ 87(2)(b) was originally contacted on January 31, 2006. He opted to resolve his complaint through mediation. On March 1, 2006, his complaint was returned for investigation after the Department Advocate’s Office determined that PO Dress was not eligible for mediation. § 87(2)(b) was contacted on March 2, 2006. He stated that since he could not resolve his complaint through mediation, he was no longer interested in pursuing investigation. He stated that he was not coerced into making this decision by any member of the NYPD or by the CCRB. He agreed to sign a withdrawal letter and return it by mail to the CCRB. This letter will be included in the case file upon receipt. ASI Jessica Long reviewed the tape recording of § 87(2)(b)’s withdrawal. § 87(2)(g)

§ 87(2)(b)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: